

Via E-mail and Hand Delivery

September 12, 2003

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, MA 02110

Re: NSTAR's Motion for Reconsideration/Clarification - DTE 01-106

Dear Secretary Cottrell:

On August 8, 2003, the Department of Telecommunications and Energy ("DTE" or "Department") issued an Order in DTE -01-106-A, Investigation into Rate of Penetration For Discounted Electric, Gas and Telephone Service. In its Order, the Department established a computer-matching program designed to increase enrollment of eligible customers in the low-income discount rate programs of gas and electric utilities. The DTE's Order also established a Phase II proceeding to address cost recovery issues. The Phase II proceeding will commence with a technical session on October 9, 2003. Boston Gas Company, Colonial Gas Company, and Essex Gas Company each d/b/a KeySpan Energy Delivery New England (collectively, "KeySpan" or the "Company") supports the Department's initiative to increase the enrollment of eligible customers on the Company's low-income discount rates. The Company is looking forward to participating in the technical session to resolve the issues that will be covered by the Phase II proceeding.

On August 28, 2003, NSTAR filed a Motion for Reconsideration (In Part), or in the Alternative, Motion for Clarification. On September 2, 2003 the Department issued a Hearing Office Memorandum on the Motion for Clarification Requesting Comments. KeySpan is pleased to submit the following comments in response to the Department's Memorandum.

KeySpan supports the Motion of the NSTAR Companies for reconsideration and/or clarification of the Department's Order of August 8, 2003 for the reasons set forth in the Motion. NSTAR has requested that the Department clarify the timing of the implementation of its Order to electric and gas distribution companies to commence sharing customer data with Executive Office of Health and Human Services ("EOHHS"). In its motion, NSTAR requests that the implementation of the Order not take place until

the following action occur: (1) EOHHS notifies the Department that is has revised its applications for income-eligible governmental programs under its jurisdiction (i.e., Department of Transitional Assistance (“DTA”) and Division of Medical Assistance (“DMA”) programs) and has received permission from such clients to have their client status disclosed to electric and gas companies; (2) the electric and gas companies notify their customers of the opportunity to opt-out of sharing their data with the EOHHS; and (3) the Department issues a final order(s) regarding how electric and gas companies will recover costs relating to implementing the Order. See NSTAR's motion at page 5.

Accordingly, KeySpan agrees with NSTAR that the Company should not be required to notifying customers of their right to opt out until EOHHS has notified the Department that the program is ready to commence. Furthermore, KeySpan agrees with NSTAR that the Department should not implement this program until it has investigated the cost impact on utilities and a cost recovery method has been established.

KeySpan appreciates the opportunity to submit these comments regarding the NSTAR’s motion. KeySpan looks forward to working with the Department to find a result that meets the Department’s objectives while addressing the concern’s raised in NSTAR’s motion.

Very truly yours,

Christopher S. Aronson, Counsel
Richard A. Visconti, General Counsel

CSA/dmo

cc: Michael Killion (electronic copy)
George Yiankos, Director of Gas Division